

INDUSTRIAL SITE RECOVERY ACT

Expedited Review Application and Instructions N.J.A.C. 7:26B-5.1

This application is intended to simplify the procedures to apply for and obtain an approval for an Expedited Review pursuant to the Industrial Site Recovery Act (ISRA) and N.J.A.C. 7:26B-5.1. Please read the directions completely before completing the application. Check the appropriate space for each question. Do NOT leave any question unanswered. Your application will automatically be found deficient if any question has not been answered.

In summary, N.J.A.C. 7:26B-5.1 allows an applicant to reinvestigate an industrial establishment without Department oversight and apply for a no-further-action approval based solely on the applicant's certification that there have been no discharges at the industrial establishment subsequent to the issuance of the most recent no-further-action approval.

Because the Department is not required to review any reports or conduct an inspection of the facility, the Department's timeframes for review and approval of the completed application can be very short. Ultimately, the speed of the application process is determined by the organizational skills of the applicant prior to an anticipated trigger. All applications are processed on a first in first out basis without exception; therefore, schedule your closing appropriately.

Submit (1) original signed copy of this application and the Expedited Review Application fee, along with the completed General Information Notice (see attached fee submittal form). **Note: Applications received without the required review fee will not be assigned to a case manager and review will not commence until the review fee is received.** This application incorporates all of the certifications required pursuant to N.J.A.C. 7:26B-5.1 and the information requested on the ISRA Negative Declaration Affidavit and thus eliminates the necessity to submit a Negative Declaration Affidavit when applying for an Expedited Review.

The Department will accept mimeograph copies or computer-generated copies of this application provided the copies are legible, all questions on this form are included and no changes are made to the wording contained herein.

The paragraphs below correspond to the question numbers on the application.

1. The information provided herein must be identical to the information provided on the General Information Notice (GIN). See question 1.A on the GIN to ensure the correct information is provided.
2. The case number will be assigned upon receipt of a complete GIN and Initial Notice fee. If submitting this application with the completed GIN, then this question may be completed as pending, unknown or simply left blank. If submitting this application in response to a deficiency letter or subsequent to the filing of the GIN, please provide the ISRA Case number to ensure expeditious processing of your application.

3. Check the appropriate statement that applies and provide a copy of the most recent no-further-action approval or equivalent approval that applies to the site subject to this application.
4. N.J.A.C. 7:26B-5.1 requires the applicant to complete remediation activities. These remediation activities are defined as follows: the completion of a preliminary assessment and if necessary, a site investigation, which shall be done in accordance with the Technical Requirements for Site Remediation. (This is done in order to confirm there have been no discharges at the industrial establishment since the issuance of the most recent no-further-action or equivalent approval.)

N.J.S.A. 58:10B-13e. Authorizes the Department to require additional remediation of the industrial establishment if the remediation standards in effect at the time of the most recent no-further-action approval have gone down by more than an order of magnitude. Therefore, to ensure protection of human health and the environment the Department will require the applicant to complete an evaluation of the final cleanup levels previously achieved at the referenced industrial establishment to ensure additional remediation or the incorporation of institutional controls pursuant to N.J.S.A. 58:10B-13a. is not necessary.

5. Self explanatory. Note: It is presumed that non-regulated underground storage tanks have been addressed by the completion of question #4.

The Certification must be signed and notarized.

Should you encounter any difficulties in completing this form, we recommend you discuss the matter with a representative of the Department. Submitting incorrect or incomplete information may cause processing delays and possible postponement of your transaction.

Please call (609) 633-0708 between the hours of 8:00 a.m. and 4:30 p.m. to request assistance in completing this application. 10/97

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF FIELD OPERATIONS-ISRA INITIAL NOTICE
P.O. BOX 435
401 EAST STATE STREET
TRENTON, NJ 08625-0435

INDUSTRIAL SITE RECOVERY ACT
EXPEDITED REVIEW APPLICATION

The purpose of this Affidavit is to obtain the New Jersey Department of Environmental Protection's approval of an expedited review pursuant to the Industrial Site Recovery Act, N.J.A.C. 7:26B-5.1. The Department may require the applicant to submit additional information and documentation to support the applicant's certifications contained in this application.

PLEASE TYPE OR PRINT

Date_____

1. Industrial Establishment

Name_____

Street Address_____

Municipality _____ County _____

Tax Block(s) _____ Tax Lot (s) _____

2. Has a General Information Notice (GIN) been filed for this transaction?

If yes, ISRA Case No. _____

If no, attach a completed GIN to this application.

3. I hereby state that: (check the appropriate statement)

A remedial action workplan has previously been implemented and a no further action letter or equivalent approval has been issued by the Department for the designated tax block(s) and tax lots(s) listed above as evidenced by the attached no further action letter or equivalent approval; or

A negative declaration has been previously approved by the Department for the designated tax block(s) and tax lot(s) listed above as evidenced by the attached negative declaration approval, no further action letter or equivalent approval; or

The Department or the United States Environmental Protection Agency has previously approved an equivalent remediation of the designated tax block(s) and tax lot(s) listed above pursuant to the Resource Conservation and Recovery Act 42 U.S.C. §6901, et seq., the Comprehensive Environmental Response, Compensation and Liability Act 42 U.S.C. §9601 et seq. or any other applicable state or federal law as evidenced by the attached no further action letter or equivalent approval;

4. I hereby state that since the issuance of a no further action letter, negative declaration approval, or equivalent

remediation approval listed in 3 above, a preliminary assessment report and site investigation report, as applicable, have been completed at the industrial establishment in accordance with the Technical Requirements for Site Remediation, N.J.A.C. 7:26E. I also state that the order of magnitude analysis required pursuant to N.J.A.C. 7:26E-3.2(a)5 has been completed to determine whether any contaminants remain, at the industrial establishment, which exceed the current cleanup criteria by more than an order of magnitude.

Based on the preliminary assessment report and site investigation report, and the order of magnitude analysis as applicable, (check the appropriate statement)

There has been no discharge of a hazardous substance or hazardous waste at the industrial establishment, subsequent to the issuance of the no further action letter, or equivalent approval and no levels of contamination remain at the industrial establishment which exceed the current applicable cleanup criteria by more than an order of magnitude; or

A discharge of a hazardous substance or hazardous waste at the industrial establishment has occurred subsequent to the issuance of the no further action letter, or the equivalent approval. The remediation of the discharge was performed in accordance with N.J.A.C. 7:26E and approved by the Department as evidenced by the attached no further action letter or equivalent approval and no levels of contamination remain at the industrial establishment which exceed the current applicable cleanup criteria by more than an order of magnitude;

5. I hereby state that: (check the appropriate statement)

There are no underground storage tank systems covered by the provisions of N.J.S.A. 58:10A-21 et seq. and N.J.A.C. 7:14B located at the industrial establishment listed above; or

I am in compliance with the provisions of N.J.S.A. 58:10A-21 et seq. and N.J.A.C. 7:14B for any underground storage tank system covered by the provisions of N.J.S.A. 58:10A-21 et seq. and N.J.A.C. 7:14B located at the industrial establishment listed above.

CERTIFICATION:

The following certification shall be signed pursuant to the requirements of N.J.A.C. 7:26B-1.6(e).

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this application and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, to the best of my knowledge the submitted information is true, accurate and complete. I am aware that there are significant civil penalties for knowingly submitting false, inaccurate or incomplete information and that I am committing a crime of the fourth degree if I make a written false statement which I do not believe to be true. I am also aware that if I knowingly direct or authorize the violation of N.J.S.A. 13:1K-6 et seq., I am personally liable for the penalties set forth at N.J.S.A. 13:1K-13.

Typed/Printed Name _____ Title _____

Signature _____ Date _____

Sworn to and Subscribed Before Me

on this _____ day of _____ 19____

Notary

**Division of Responsible Party Site Remediation
Industrial Site Recovery Act**

INITIAL NOTICE FEE SUBMITTAL FORM

Case # (if known) _____

Case Name (Active Case) _____

Check drawn from the account of _____ Check/M.O. # _____

Amount Enclosed _____

Please circle the appropriate payment location(s)

1.	General Information Notice	\$100.00
2.	Preliminary Assessment Report	\$250.00
3.	Site Investigation Report	\$500.00
4.	Negative Declaration Review	\$100.00
5.	Expedited Review Application●	\$250.00
6.	Remediation in Progress Waiver Application●	\$250.00
7.	Regulated Underground Storage Tank Waiver Application●	\$500.00
8.	Area of Concern Waiver Application●	\$200.00
9.	Limited Site Review Application●	\$450.00
10.	Applicability Determination Application	\$200.00
11.	De minimis Quantity Exemption Application	\$200.00
12.	Limited Conveyance Application●	\$500.00
13.	Remediation Agreement Application	\$1000.00
	Remediation Agreement Amendment Application	\$500.00
14.	Confidentiality Claim	\$250.00
15.	Remedial Action Workplan Deferral Application●	\$750.00

- This fee includes the costs of the Department's review of the General Information Notice required pursuant to N.J.A.C. 7:26B-3.2(a). Any person submitting this fee shall not be required to submit a separate General Information Notice fee.

Note: All applicable fees are due with the submission of each document. A case will remain with the Initial Notice Section up through the submission of a Remedial Investigation Report or the submission of a schedule to implement a Remedial Investigation or Remedial Action at Peril.